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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MICHAEL ZELENY,

Plaintiff,

vs.

EDMUND G. BROWN, Jr., et al.,

Defendants.

Case No. CV 17-7357 JCS

Assigned to:

The Honorable Richard G. Seeborg

**NOTICE OF DEPOSITION OF THE
STATE OF CALIFORNIA**

Date: July 15, 2019

Time: 10:00 a.m.

Location:

Veritext

101 Montgomery Street, Ste. 450

San Francisco, CA 94104

Action Filed: December 28, 2017

Trial Date: None Set

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE THAT, Plaintiff Michael Zeleny ("Plaintiff") will take deposition on oral examination of the State of California, pursuant to Federal Rule of Civil Procedure 30(b)(6).

The deposition will commence at 10:00 a.m. on July 15, 2019 at Veritext, 101 Montgomery Street, Suite 450, San Francisco, California 94104. The deposition will continue

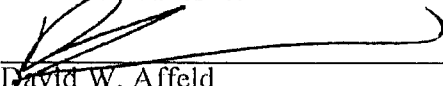
1 from day to day thereafter, weekends and holidays excluded, until completed.

2 Pursuant to Federal Rule of Civil Procedure 30(b)(6), the State of California is
3 required to designate one or more persons most knowledgeable and prepared to testify on the
4 topics set forth in **Attachment 1** hereto.

5 The deposition will be taken before a certified shorthand reporter or other person
6 authorized to administer oaths. The deposition will be recorded by stenographic means, and
7 will be videotaped and audio recorded for potential use at trial and in other proceedings.

8 Dated: July 28, 2019

Affeld Grivakes LLP

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10 David W. Affeld
11 Damion D. D. Robinson
12 Affeld Grivakes LLP
13 Attorneys for Plaintiff Michael Zeleny
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ATTACHMENT 1

Topics of Testimony

The deponent is required to designate and produce for deposition one or more persons most knowledgeable and prepared to testify on the following topics:

1. The enactment of the following California statutes: California Penal Code §§ 25400 through 25700 and 25800 through 26100 (the "Concealed Carry Statutes").

2. The legislative history of the Concealed Carry Statutes.

3. The reasons or bases for the enactment of the Concealed Carry Statutes and any conditional exemptions, including, but not limited to, California Penal Code § 25510.

4. The interpretation of the Concealed Carry Statutes.

5. The enforcement of the Concealed Carry Statutes by the State of California, any agencies, departments, divisions, or sub-divisions thereof, or any local, country, or city agencies.

6. The enactment of the following California statutes: California Penal Code §§ 26350 through 26391 and 26400 through 26405 (collectively, the "Open Carry Statutes").

7. The legislative history of the Open Carry Statutes.

8. The reasons or bases of the enactment of the Open Carry Statutes and any exemptions, including, but not limited to California Penal Code §§ 26375 and 26405(r).

9. Any communications about Michael Zeleny in connection with consideration of the Open Carry Statutes.

10. Any communications with representatives of the City of Menlo Park or New Enterprise Associates in connection with consideration of the Open Carry Statutes.

11. The facts, circumstances, and factors considered in deciding to exempt certain participants in "motion picture, television or video production, or entertainment event[s]" from the Open Carry Statutes and/or the Concealed Carry Statutes.

12. Any other types of expressive activity that were considered for exemption from the Open Carry Statutes and/or the Concealed Carry Statutes and the reasons they were not exempted.

1 13. The interpretation of the Open Carry Statutes.

2 14. The enforcement of the Open Carry Statutes by the State of California, any
3 agencies, departments, divisions, or sub-divisions thereof, or any local, country, or city
4 agencies.

5 15. Any reports, studies, or statistics relied upon in enacting the Concealed Carry
6 Statutes and/or the Open Carry Statutes and any exemptions from those statutes.

7 16. The constitutionality of the Open Carry Statutes and exemptions from those
8 statutes.

9 17. Any communications with local governments or law enforcement, direct or
10 indirect, of the State of California's interpretation of the Open Carry Statutes, the Concealed
11 Carry Statutes, and/or the exemptions from those statutes.

12 18. The responses to Plaintiff Michael Zeleny's First Set of Interrogatories to
13 Defendant Xavier Becerra in this action.

14 19. The responses to Plaintiff Michael Zeleny's First Set of Requests for
15 Production to Xavier Becerra in this action.

16 20. The documents produced in this action and the efforts by the State of
17 California, or any of its departments, divisions, or sub-divisions, to search for, locate, identify,
18 gather, and produce documents in this action.

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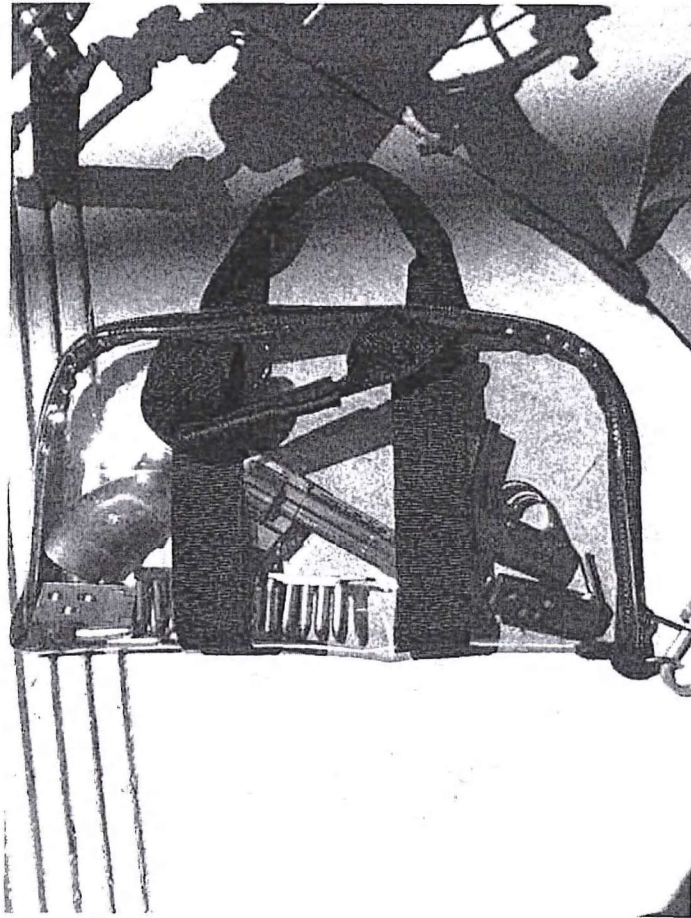
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Below is a photo of Zeleny at a past protest:



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